

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**ROBERT WADE,**

**Plaintiff,**

**v.**

**BERNARD F. BRADY,  
THOMAS F. REILLY, and  
TIMOTHY J. CRUZ**

**Defendants.**

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**Civil Action No. 04-12135-NG**

**NOTICE III OF FILING WITH THE CLERK'S OFFICE  
UNDER SEAL**

Notice is hereby given that the exhibits listed below have been manually filed with the Court and are available in paper form only under seal:

- F. Defendant's Motion for DNA Testing of Physical Evidence.
- G. Commonwealth's Memorandum in Opposition to Defendant's Motion for DNA Testing of Evidence.
- H. Order on Defendant's Motion for DNA Testing.
- I. Defendant's Motion for Reconsideration of the Denial of Motion for DNA Testing.
- J. Denial of Defendant's Motion for Reconsideration of the Denial of Motion for DNA Testing.
- K. Defendant's Motion for a New Trial.
- L. Commonwealth's Memorandum in Opposition to Defendant's Motion for New Trial and Request for Evidentiary Hearing.

- M. Memorandum, Findings and Orders On Defendant's Motion  
For New Trial.
- N. Defendant's Petition to Single Justice Pursuant to G.L. c. 278, §33E  
for Leave to Appeal the Denial of His Motion for DNA Testing  
and for a New Trial.
- O. Commonwealth's Memorandum in Opposition to Defendant's Application  
for Leave to Appeal.

The original documents are maintained in the case file in the Clerk's Office under seal.

Respectfully submitted,

THOMAS F. REILLY  
ATTORNEY GENERAL

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/s/ Eva M. Badway  
Eva M. Badway  
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Dated: January 6, 2006

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 6, 2006.

/s/ Eva M. Badway  
Eva M. Badway